

OCT. 5. 2005 5:20PM

PABST PATENT GROUP

RECEIVED
CENTRAL FAX CENTER

NO. 5659 P. 6

OCT 05 2005

Do not
enter
11/05/05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stefan Dietmar Anker and Andrew Justin Stewart Coats

Serial No: 09/807,558

Art Unit: 1647

Filed: July 17, 2001

Examiner: Fozia M. Hamud

For: *METHODS OF TREATMENT*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.132

Sir:

We, Stefan Dietmar Anker and Andrew Justin Stewart Coats, hereby declare that:

1. We are inventors of the above-identified application.
3. We have reviewed the Office Action mailed May 16, 2005 in the above-identified application.
4. We understand that claims 1-4, 19 and 29-31 were rejected under 35 U.S.C. 112, first paragraph, on the basis that the specification does not enable those of skill in the art to make and use the claimed methods for treatment of cachexia by administering to a patient an agent that reduces sympathetic nervous system activity. The following experiments demonstrate that the claimed methods are enabled for one of ordinary skill in the art as of the time we filed the parent application, October 15, 1998.

45059623v1

1

ICI 102
078230/00027